

U.S. Department of Justice
United States Marshals Service**PROCESS RECEIPT AND RETURN**See Instructions for "Service of Process by the U.S. Marshal"
on the reverse of this form.

PLAINTIFF	COURT CASE NUMBER
Victor P. Capaldi	04-10843-JLT
DEFENDANT	TYPE OF PROCESS
F/V GEORGIE J	Confirmation of sale
SERVE ➔ AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
	F/V GEORGIE J
	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)
	Fairhaven Shipyard, 50 Fort Street, Fairhaven, MA 02719

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

Carolyn M. Latti
Latti & Anderson LLP
30-31 Union Wharf
Boston, MA 02109

Number of process to be
served with this Form - 285Number of parties to be
served in this caseCheck for service
on U.S.A.SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All
Telephone Numbers, and Estimated Times Available For Service):

Fold

See order confirming sale

RECEIVED
U.S. MARSHAL SERVICE
BOSTON, MA
2004 NOV 15 A 11:40
DATE 11/15/04

Signature of Attorney or other Originator requesting service on behalf of:

☒ PLAINTIFF
☐ DEFENDANT

TELEPHONE NUMBER

(617) 523-1000

DATE

11/15/04

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process 1	District of Origin No. 38	District to Serve No. 38	Signature of Authorized USMS Deputy or Clerk Nancy Lalanne	Date 11/15/04
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I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below:☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

☐ A person of suitable age and discretion then residing in the defendant's usual place of abode.

Address (complete only if different than shown above)

Date of Service	Time	am
		pm

Signature of U.S. Marshal or Deputy

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
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REMARKS:

Attached Court Order + Copy of Bill of Sale 11/15/04
Nancy Lalanne

UNITED STATES DISTRICT COURT
for the
DISTRICT OF MASSACHUSETTS

7604 NOV -2 P 3: 54

VICTOR P. CAPALDI
Plaintiff

FILED
CLERKS OFFICE
U.S. DISTRICT COURT
DISTRICT OF MASS.

Civil Action
No. 04-10843-JLT

v.

F/V GEORGIE J, her engines, boilers, equipment,
machinery, tackle, furnishings, apparel, appurtenances,
etc., including, but not limited to, its commercial fishing
licenses, permits, limited entry rights, quotas, moratorium
permits/licenses, and all other fishing rights, history,
privileges, or entitlements arising from, issued to,
attaching to, or appurtenant to said vessel, *in rem*
Defendant

I HEREBY CERTIFY AND CERTIFY TO ALL THAT THE
FORWARDED DOCUMENT IS A FULL, TRUE
AND CORRECT COPY OF THE ORIGINAL ON FILE
IN MY OFFICE AND IN MY LEGAL CUSTODY.

CLERK, U.S. DISTRICT COURT
DISTRICT OF MASSACHUSETTS

By: *[Signature]*

ORDER CONFIRMING THE INTERLOCUTORY SALE OF F/V GEORGIE J

This Court has reviewed the United States Marshal's report of sale and *Plaintiff's Motion To Confirm the Interlocutory Sale of F/V GEORGIE J* which seeks the confirmation of the interlocutory sale of Defendant vessel F/V GEORGIE J (O.N. 502064), her engines, boilers, equipment, machinery, tackle, furnishings, apparel, appurtenances, etc., including, but not limited to, its commercial fishing licenses, permits, limited entry rights, quotas, moratorium permits/licenses, and all other fishing rights, history, privileges, or entitlements arising from, issued to, attaching to, or appurtenant to said vessel, (hereinafter referred to as the "Vessel"), to the highest bidder, Mr. Carlos Rafael of 77 Tucker Lane, North Dartmouth, Massachusetts, 02747, and it appearing from the Marshal's report that the F/V GEORGIE J was sold at public auction at the time and place directed for the sum of One Million Seven Hundred Thousand and

00/100 Dollars (\$1,700,000.00), which was the highest bidder and the best bid offered by Mr. Rafael and the Court being satisfied in all respects that the aforesaid sale was regularly and fairly conducted, upon consideration thereof, and after a hearing, it is hereby:

ORDERED, ADJUDGED and DECREED that the interlocutory sale of the Defendant Vessel, F/V GEORGIE J (O.N. 502064), her engines, boilers, equipment, machinery, tackle, furnishings, apparel, appurtenances, etc., including, but not limited to, its commercial fishing licenses, permits, limited entry rights, quotas, moratorium permits/licenses, and all other fishing rights, history, privileges, or entitlements arising from, issued to, attaching to, or appurtenant to said Vessel, by the United States Marshal on October 20, 2004 to Mr. Carlos Rafael of 77 Tucker Lane, North Dartmouth, Massachusetts, 02747, be and the same is hereby approved and confirmed in all respects in accordance with Rule E(9) of the Supplemental Rules for Certain Admiralty and Maritime Matters of the Federal Rules of Civil Procedure, it is further

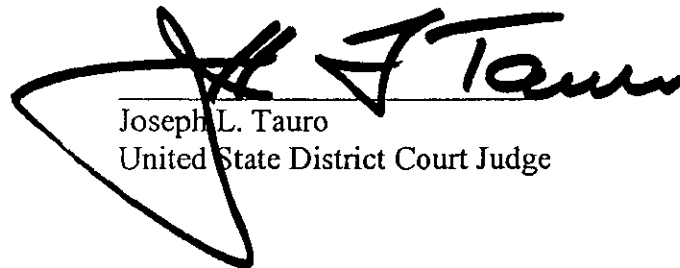
ORDERED, ADJUDGED and DECREED, that the sum of One Million Seven Hundred Thousand and 00/100 Dollars(\$1,700,000.00) be deposited with the United States Marshal to abide the event of this action and to satisfy court costs, including custodial fees and expenses associated with arresting, storing, maintaining and the auction of said Vessel, as well as the United States Marshall commission and costs of sale, and that said sum be retained in the custody of the Marshals Service to be distributed as further ordered by this Court; and it is further

IN AN INTEREST OF ECONOMY

ORDERED, ADJUDGED and DECREED that the United States Marshal is hereby directed to issue a bill of sale therefore and release and deliver the Vessel, together with her engines, boilers, equipment, machinery, tackle, furnishings, apparel, appurtenances, etc., including, but not limited to, its commercial fishing licenses, permits, limited entry rights,

quotas, moratorium permits/licenses, and all other fishing rights, history, privileges, or entitlements arising from, issued to, attaching to, or appurtenant to said Vessel, to Mr. Carlos Rafael of 77 Tucker Lane, North Dartmouth, Massachusetts, 02747, upon the payment of the total purchase price, and all sums due and owing to the Marshals Service for his commission and costs and expenses of sale.

Dated at Boston, Massachusetts on this 15 day of November, 2004



Joseph L. Tauro
United State District Court Judge

SN 7530-00-F01-1070

REVERSE OF CG-1356 (REV. 9-92)

(COMPLETE THIS SECTION ONLY IF VESSEL HAS NEVER BEEN DOCUMENTED AND DOES NOT HAVE A HULL IDENTIFICATION NUMBER.)

VESSEL DATA

- A. BUILDER _____ B. BUILDER'S HULL NUMBER _____
- C. FORMER NAME _____ D. FORMER MOTORBOAT NUMBERS _____
- E. FORMER ALIEN REGISTRATIONS _____
- F. DIMENSIONS: L= _____ B= _____ D= _____
- G. PERSON FROM WHOM SELLER OBTAINED VESSEL _____



SIGNATURE OF SELLER

INSTRUCTIONS

1. INDICATE CURRENT DOCUMENTED NAME. (IF VESSEL HAS NEVER BEEN DOCUMENTED SELLER MUST COMPLETE AND SIGN DATA SECTION ABOVE.)
2. INDICATE OFFICIAL NUMBER AWARDED TO VESSEL OR HULL IDENTIFICATION NUMBER ASSIGNED BY MANUFACTURER. (IF THE VESSEL HAS NO HULL IDENTIFICATION NUMBER AND HAS NEVER BEEN DOCUMENTED, SELLER MUST COMPLETE AND SIGN THE VESSEL DATA SECTION ABOVE.)
3. INSERT NAMES AND ADDRESSES OF ALL PERSONS EXECUTING INSTRUMENT AND THEIR CAPACITY. LIST THE NAME AND ADDRESS OF THE AGENCY IF APPLICABLE.
4. SELF-EXPLANATORY.
5. LIST THE NAME(S) AND ADDRESS(ES) OF THE BUYERS.
- 5A. LIST THE INTEREST TRANSFERRED TO THE BUYER(S) NAMED ABOVE.
- 5B. CHECK THE MANNER OF OWNERSHIP. UNLESS OTHERWISE STATED, THIS BILL OF SALE CREATES A TENANCY IN COMMON WITH EACH TENANT OWNING AN UNDIVIDED INTEREST.
6. SELF-EXPLANATORY. USE "REMARKS" SECTION ABOVE IF VESSEL IS NOT SOLD FREE AND CLEAR, OR TO LIST VESSEL APPURTENANCES WHICH ARE NOT SOLD WITH THE VESSEL.
7. SELF-EXPLANATORY.
8. THIS SECTION MUST BE COMPLETED BY A NOTARY PUBLIC OR OTHER PERSON AUTHORIZED TO TAKE ACKNOWLEDGMENTS OF DEEDS UNDER THE LAWS OF A STATE OR THE UNITED STATES. IF THERE ARE MULTIPLE SIGNATORIES TO THIS BILL OF SALE, EACH MUST MAKE AN ACKNOWLEDGMENT BEFORE A NOTARY. ATTACHMENTS SHOWING THOSE APPEARANCES ARE PERMITTED.

NOTE: THIS INSTRUMENT WILL BE INELIGIBLE FOR FILING AND RECORDING IF ALTERED AFTER EXECUTION AND ACKNOWLEDGMENT. ANY ALTERATIONS MADE PRIOR TO EXECUTION MUST BE ATTESTED BY THE PERSON TAKING THE ACKNOWLEDGMENT.

PRIVACY ACT STATEMENT

IN ACCORDANCE WITH 5 USC 552(A), THE FOLLOWING INFORMATION IS PROVIDED TO YOU WHEN SUPPLYING PERSONAL INFORMATION TO THE U.S. COAST GUARD.

1. AUTHORITY. SOLICITATION OF THIS INFORMATION IS AUTHORIZED BY 46 USC, CHAPTER 313 AND 46 CFR, PART 67.
2. THE PRINCIPAL PURPOSES FOR WHICH THIS INSTRUMENT IS TO BE USED ARE:
 - (A) TO PROVIDE A RECORD, AVAILABLE FOR PUBLIC INSPECTION AND COPYING, OF THE SALE OR OTHER CHANGE IN OWNERSHIP OF A VESSEL WHICH IS DOCUMENTED, WILL BE DOCUMENTED, OR HAS BEEN DOCUMENTED PURSUANT TO 46 USC, CHAPTER 121.
 - (B) PLACEMENT OF THIS INSTRUMENT IN A BOOK FOR EXAMINATION BY GOVERNMENTAL AUTHORITIES AND MEMBERS OF THE GENERAL PUBLIC.
3. THE ROUTINE USE WHICH MAY BE MADE OF THIS INFORMATION INCLUDES DEVELOPMENT OF STATISTICAL DATA CONCERNING DOCUMENTED VESSELS.
4. DISCLOSURE OF THE INFORMATION REQUESTED ON THIS FORM IS VOLUNTARY, HOWEVER, FAILURE TO PROVIDE THE INFORMATION COULD PRECLUDE FILING OF A BILL OF SALE AND DOCUMENTATION OF THE VESSEL NAMED HEREIN PURSUANT TO 46 USC, CHAPTER 121. MOREOVER, BILLS OF SALE WHICH ARE NOT FILED ARE NOT DEEMED TO BE VALID EXCEPT AGAINST ANY PERSON EXCEPT THE GRANTOR OR A PERSON HAVING ACTUAL KNOWLEDGE OF THE SALE. (46 USC 31321(A)).

THE COAST GUARD ESTIMATES THAT THE AVERAGE BURDEN FOR THIS FORM IS 20 MINUTES. YOU MAY SUBMIT ANY COMMENTS CONCERNING THE ACCURACY OF THIS BURDEN ESTIMATE OR MAKE SUGGESTIONS FOR REDUCING THE BURDEN TO: COMMANDANT (G-MVI), U.S. COAST GUARD, WASHINGTON, DC 20593-0001 OR OFFICE OF MANAGEMENT AND BUDGET, OFFICE OF INFORMATION AND REGULATORY AFFAIRS, ATTENTION: DESK OFFICER FOR DOT/USCG, OLD EXECUTIVE OFFICE BUILDING, WASHINGTON, DC 20503.